

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

11:00 AM

**6: -**

**Chapter**

**#0.00** Judge Reyes Bordeaux will hold hearings in person and remotely via Zoom.gov.

**In person Appearance Policies**

Parties may appear in person for hearings at United States Bankruptcy Court located at 3420 Twelfth Street, Riverside, CA 92501 in Courtroom 303. Parties appearing in person must wear face masks, practice social distancing, and comply with all applicable guidelines of the United States Bankruptcy Court, Central District of California, and any additional requirements required under California State Law at the time of the hearing. Please note that Judge Reyes Bordeaux will not be wearing a mask.

**Remote Appearance Policies**

Parties may also appear remotely for hearings using ZoomGov, which permits parties to appear by video or by telephone. Hearing participants and members of the public may use ZoomGov free of charge to connect to hearings before Judge Reyes Bordeaux. Video and audio connection information for hearing(s) on this calendar is listed below.

Individuals may use a personal computer (equipped with camera, microphone and speaker), or a mobile device (such as an iPhone) to appear by ZoomGov video and ZoomGov audio. Individuals may also use a telephone to appear by ZoomGov audio only (standard telephone charges may apply). A Zoom or ZoomGov account is not necessary to connect to the hearings and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

A Zoom or ZoomGov account is not necessary to participate in the hearings and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and will constitutes its official record.

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

11:00 AM

**CONT...**

**Chapter**

**Video/audio web address:** <https://cacb.zoomgov.com/j/1605518548>

**ZoomGov Meeting ID Number:** 160 551 8548

**Meeting Passcode:** 3032023

**Telephone conference lines:** 1 (669) 254 5252 or 1 (646) 828 7666

For more information on appearing before Judge Reyes Bordeaux by ZoomGov, please see the information entitled "Procedures for Video & Telephonic Appearances" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-magdalena-reyes-bordeaux> under the tab "Phone/Video Appearances."

Docket 0

**Tentative Ruling:**

- NONE LISTED -

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

11:00 AM

**6:23-10011 Linda Sue Cain**

**Chapter 7**

**#1.00** Stipulation By Lynda T. Bui (TR) and Stipulation for Occupancy and Marketing of Real Property

EH\_\_

Docket 27

**Tentative Ruling:**

5/16/2023

The Court's tentative ruling is to APPROVE the Stipulation.

Appearances WAIVED. Movant is directed to lodge a proposed order via LOU within 7 days after the hearing date [per LBR 9021-1(b)(1)(B)]. If oral or written opposition is presented at the hearing, the hearing may be continued.

If you wish to be heard on this matter, you can appear at the hearing in person or remotely. **For ZoomGov instructions, please see Page 1 of this week's Tentative Rulings.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Linda Sue Cain

Represented By  
Keith Q Nguyen

**Movant(s):**

Lynda T. Bui (TR)

Pro Se

**Trustee(s):**

Lynda T. Bui (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room      303**

11:00 AM

**6:23-11166    Ambrosio Miramontes**

**Chapter 7**

**#2.00    Order to Show Cause Hearing re dismissal for failure to comply with rule  
1006(B) - installments  
(Second Payment due 4/24/23 - Third Payment due 5/22/23)**

EH\_\_

Docket      14

**\*\*\* VACATED \*\*\*    REASON: SECOND INSTALLMENT PAID 4/26/23**

**Tentative Ruling:**

- NONE LISTED -

<b>Party Information</b>
--------------------------

**Debtor(s):**

Ambrosio Miramontes

Pro Se

**Trustee(s):**

Todd A. Frealy (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**6:22-13287 Craig A. Buero**

**Chapter 7**

Adv#: 6:22-01096 First National Bank Of Omaha v. BUERO

**#1.00** CONT Status Conference RE: [1] Complaint by First National Bank Of Omaha against CRAIG A. BUERO re false pretenses, false representation, actual fraud

From: 2/21/23, 3/21/23

EH\_\_

Docket 1

**Tentative Ruling:**

5/16/2023

Appearances are REQUIRED. You can appear at the hearing in person or remotely.  
**For ZoomGov instructions, please see Page 1 of this week's Tentative Rulings.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Craig A. Buero

Represented By  
Ahren A Tiller

**Defendant(s):**

CRAIG A. BUERO

Represented By  
Ahren A Tiller

**Plaintiff(s):**

First National Bank Of Omaha

Represented By  
Cory J Rooney

**Trustee(s):**

Charles W Daff (TR)

Pro Se

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**6:22-14173 Shu-Chen Wu**

**Chapter 13**

Adv#: 6:23-01019 Ceron v. Wu et al

**#2.00** Status Conference RE: [1] Adversary case 6:23-ap-01019. Complaint by Emilio Ceron against Shu-Chen Wu, Geogiang Yue. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (68 (Dischargeability - 523(a)(6), willful and malicious injury)

Also #

EH\_\_\_\_

Docket 1

**Tentative Ruling:**

5/16/2023

The Court's tentative is to continue the status conference to **June 27, 2023, at 2:00 p.m.** for failure to file a status report as required under Local Bankruptcy Rule 7016-1(a)(2) or (a)(3).

A joint status report is due no later than **June 13, 2023**. If parties are unable to file a joint status report, unilateral status reports by each party are due **June 20, 2023**.

Please note that failure to complete the necessary preparations to appear at a status conference including the filing of a joint or unilateral status report could result in the imposition of sanctions including dismissal of the adversary proceeding under LBR 7016-1(f) or (g).

Appearances are REQUIRED. You can appear at the hearing in person or remotely. **For ZoomGov instructions, please see Page 1 of this week's Tentative Rulings.**

**Procedural History:**

On November 2, 2022, Debtors Shu-Chen Wu and Geogiang Joseph Yue ("Debtors") filed for Chapter 13 bankruptcy relief.

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**CONT...**

**Shu-Chen Wu**

**Chapter 13**

On February 6, 2023, Plaintiff Emilio Ceron ("Plaintiff") filed an adversary proceeding against Debtors Shu-Chen Wu and Geogiang Joseph Yue ("Defendants"). On March 9, 2023, Defendants filed a motion to dismiss this adversary proceeding which is pending before the Court. Dkt. 5. Currently, a status conference is scheduled for May 16, 2023, at 2:00 p.m.

**Applicable Law:**

Local Bankruptcy Rule ("LBR") 7016-1(a)(2), sets forth that:

"Unless otherwise ordered by the court, at least 14 days before the date set for each status conference the parties are required to file a joint status report using mandatory court form"

LBR 7016-1(a)(3), also sets forth that:

"If any party fails to cooperate in the preparation of a joint status report and a response has been filed to the complaint, each party must file a unilateral status report not less than 7 days before the date set for each status conference, unless otherwise ordered by the court. The unilateral status report must contain a declaration setting forth the attempts made by the party to contact or obtain the cooperation of the non-complying party."

Moreover, the Central District of California Bankruptcy Court has a mandatory joint status report form, F 7016-1.STATUS.REPORT, which can be accessed on the court's website at: [www.cacb.uscourts.gov/forms/local\\_bankruptcy\\_rules\\_forms](http://www.cacb.uscourts.gov/forms/local_bankruptcy_rules_forms).

**Legal Analysis**

The parties failed to file a joint status report with the Court fourteen (14) days before the status conference as required under LBR 7016-1(a)(2). Since parties did not file a timely joint status report, each party was then required to file a unilateral status report not less than seven (7) days before the status conference as required under LBR 7016-1(a)(3). Here, neither party filed a unilateral status report with the Court.

Please note that failure to complete the necessary preparations to appear at a status

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**CONT... Shu-Chen Wu**

**Chapter 13**

conference including the filing of a joint or unilateral status report could result in the imposition of sanctions including dismissal of the adversary proceeding under LBR 7016-1(f) or (g). *See Hells Canyon Preservation Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (recognizing that a court may *sua sponte* dismiss an action pursuant to Rule 41(b)); *Link v. Wabash R. Co.*, 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion).

**Conclusion:**

The status conference will be continued to **June 27, 2023 at 2:00 p.m.**

A joint status report is due no later than **June 13, 2023.**

If parties are unable to file a joint status report, unilateral status reports are due **June 20, 2023.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shu-Chen Wu

Represented By  
Benjamin Heston

**Defendant(s):**

Shu-Chen Wu

Represented By  
Benjamin Heston

Geogiang Joseph Yue

Represented By  
Benjamin Heston

**Joint Debtor(s):**

Geogiang Yue

Represented By  
Benjamin Heston

**Plaintiff(s):**

Emilio Ceron

Represented By  
Fritz J Firman

**Trustee(s):**

Rod Danielson (TR)

Pro Se



**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**6:22-14173 Shu-Chen Wu**

**Chapter 13**

Adv#: 6:23-01019 Ceron v. Wu et al

**#3.00** CONT Motion to Dismiss Adversary Proceeding

From: 5/2/23

Also #

EH\_\_

Docket 5

**Tentative Ruling:**

5/16/2023

Appearances are REQUIRED. You can appear at the hearing in person or remotely.  
**For ZoomGov instructions, please see Page 1 of this week's Tentative Rulings.**

<b>Party Information</b>
--------------------------

**Debtor(s):**

Shu-Chen Wu

Represented By  
Benjamin Heston

**Defendant(s):**

Shu-Chen Wu

Represented By  
Benjamin Heston

Geogiang Joseph Yue

Represented By  
Benjamin Heston

**Joint Debtor(s):**

Geogiang Yue

Represented By  
Benjamin Heston

**Movant(s):**

Shu-Chen Wu

Represented By

**United States Bankruptcy Court  
Central District of California  
Riverside  
Magdalena Reyes Bordeaux, Presiding  
Courtroom 303 Calendar**

**Tuesday, May 16, 2023**

**Hearing Room 303**

2:00 PM

**CONT... Shu-Chen Wu**

**Chapter 13**

Benjamin Heston  
Benjamin Heston  
Benjamin Heston

Geogiang Joseph Yue

Represented By  
Benjamin Heston  
Benjamin Heston

**Plaintiff(s):**

Emilio Ceron

Represented By  
Fritz J Firman

**Trustee(s):**

Rod Danielson (TR)

Pro Se